

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re AMERICAN REALTY CAPITAL	x	Civil Action No. 1:15-mc-00040-AKH
PROPERTIES, INC. LITIGATION	:	
	:	<u>CLASS ACTION</u>
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This Document Relates To:	:	LEAD PLAINTIFF'S NOTICE OF MOTION
ALL ACTIONS.	:	AND UNOPPOSED MOTION FOR
	:	PRELIMINARY APPROVAL OF
	x	PROPOSED SETTLEMENT

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TO: ALL PARTIES AND THEIR ATTORNEYS OF RECORD

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, the Stipulation of Settlement with exhibits, the declaration of Michael Joaquin, and all prior pleadings and proceedings had herein, Lead Plaintiff, by and through its attorneys, will move this Court on October 3, 2019, at 2:30 p.m., before the Honorable Alvin K. Hellerstein, United States District Judge for the Southern District of New York, in Courtroom 14D, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, New York 10007, for entry of the [Proposed] Order Granting Preliminary Approval Pursuant to Fed. R. Civ. P. 23(e)(1) and Permitting Notice to the Class, agreed upon by all parties: (1) granting preliminary approval of the proposed settlement; (2) approving the form and manner of notice of the proposed settlement to the Class; and (3) setting a hearing date for final approval thereof, and a schedule for various deadlines relevant thereto. Defendants do not oppose the motion.

DATED: September 30, 2019

Respectfully submitted,

ROBBINS GELLER RUDMAN  
& DOWD LLP  
DARREN J. ROBBINS  
MICHAEL J. DOWD  
JONAH H. GOLDSTEIN  
DEBRA J. WYMAN  
JESSICA T. SHINNEFIELD

---

s/ Debra J. Wyman

DEBRA J. WYMAN

655 West Broadway, Suite 1900  
San Diego, CA 92101-8498  
Telephone: 619/231-1058  
619/231-7423 (fax)  
darrenr@rgrdlaw.com  
miked@rgrdlaw.com  
jonahg@rgrdlaw.com  
debraw@rgrdlaw.com  
jshinnefield@rgrdlaw.com

ROBBINS GELLER RUDMAN  
& DOWD LLP  
SAMUEL H. RUDMAN  
ROBERT M. ROTHMAN  
58 South Service Road, Suite 200  
Melville, NY 11747  
Telephone: 631/367-7100  
631/367-1173 (fax)  
srudman@rgrdlaw.com  
rrothman@rgrdlaw.com

Lead Counsel for Lead Plaintiff and the Class

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury that on September 30, 2019, I authorized the electronic filing of the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the e-mail addresses on the attached Electronic Mail Notice List, and I hereby certify that I caused the mailing of the foregoing via the United States Postal Service to the non-CM/ECF participants indicated on the attached Manual Notice List.

s/ Debra J. Wyman  
\_\_\_\_\_  
DEBRA J. WYMAN

ROBBINS GELLER RUDMAN  
& DOWD LLP  
655 West Broadway, Suite 1900  
San Diego, CA 92101-8498  
Telephone: 619/231-1058  
619/231-7423 (fax)

E-mail: [debraw@rgrdlaw.com](mailto:debraw@rgrdlaw.com)

## Mailing Information for a Case 1:15-mc-00040-AKH In re American Realty Capital Properties, Inc. Litigation

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **Jeffrey Simon Abraham**  
jabraham@aftlaw.com
- **Robin L. Alperstein**  
ralperstein@beckerglynn.com,esteckhan@beckerglynn.com,hhill@beckerglynn.com
- **Antonia Marie Apps**  
aapps@milbank.com,ggreen@milbank.com,AutoDocketECF@milbank.com
- **Adam M. Apton**  
aapton@zlk.com
- **Karim Basaria**  
kbasaria@sidley.com
- **Khristoph Becker**  
kbecker@steptoe.com,spu@steptoe.com,ehartman@steptoe.com,ocorn@steptoe.com
- **Gary Frederick Bendinger**  
gbendinger@sidley.com,nyefiling@sidley.com,gary-bendinger-4030@ecf.pacerpro.com
- **Stanley D Bernstein**  
bernstein@bernlieb.com,birkeland@bernlieb.com,ecf@bernlieb.com
- **Rebecca A. Beynon**  
rbeynon@kellogghansen.com
- **Brian Roger Blais**  
brian.blais@usdoj.gov,usany.ecf@usdoj.gov,CaseView.ECF@usdoj.gov
- **Jeffrey Craig Block**  
jeff@blockesq.com,jason@blockesq.com,pacer-blockleviton-9062@ecf.pacerpro.com
- **Kristen Leigh Bokhan**  
kristen.bokhan@kirkland.com
- **Adam Jerrod Bookman**  
adam.bookman@weil.com,adam-bookman-4279@ecf.pacerpro.com
- **Bruce Roger Braun**  
bbraun@sidley.com,nyefiling@sidley.com,efilingnotice@sidley.com,catherine.stewart@sidley.com,kbasaria@sidley.com,ntygesso@sidley.com,nconrad@sidley.com,tbraun-9612@ecf.pacerpro.com
- **Kristina Anne Bunting**  
kbunting@paulweiss.com,mao\_fednational@paulweiss.com
- **Jennifer Nunez Caringal**  
jcaringal@rgrdlaw.com,SCaesar@rgrdlaw.com,5233378420@filings.docketbird.com,kmccormack@rgrdlaw.com,lmix@rgrdlaw.com
- **Alexandra Rebecca Clark**  
aclark@pkblp.com
- **Neil Harris Conrad**  
nconrad@sidley.com,efilingnotice@sidley.com,neil-conrad-4222@ecf.pacerpro.com
- **Patrick Joseph Coughlin**  
patc@rgrdlaw.com,smiller@rgrdlaw.com,e\_file\_sd@rgrdlaw.com
- **Jason Robert D'Agnenica**  
jasondag@ssbny.com
- **Glen DeValerio**  
gdevalerio@bermandevalerio.com,bdentremont@bermandevalerio.com,ecf@bermandevalerio.com,bmccarthy@bermandevalerio.com
- **Bruce Whitney Dona**  
bruce.dona@ksfcounsel.com
- **Michael Joseph Dowd**  
miked@rgrdlaw.com,debg@rgrdlaw.com,e\_file\_sd@rgrdlaw.com,tome@rgrdlaw.com
- **Daniel S. Drosman**  
ddrosman@rgrdlaw.com,E\_File\_SD@rgrdlaw.com,tholindrake@rgrdlaw.com,5593753420@filings.docketbird.com
- **H. Miriam Farber**  
mfarber@shearman.com,managing-attorney-5081@ecf.pacerpro.com,CourtAlert@Shearman.com,miriam-farber-7421@ecf.pacerpro.com,manattyoffice@shearman.com

- **Meagan Alicia Farmer**  
mfarmer@gardylaw.com
- **Reid Mason Figel**  
rfigel@kellogghansen.com,fli@kellogghansen.com,cparra@kellogghansen.com
- **Christopher Lee Filburn**  
cfilburn@paulweiss.com,mao\_fednational@paulweiss.com
- **Robert Craig Finkel**  
rfinkel@wolffpopper.com,cdunleavy@wolffpopper.com,mgianfagna@wolffpopper.com
- **Jason A. Forge**  
jforge@rgrdlaw.com,2249257420@filings.docketbird.com,tholindrake@rgrdlaw.com,e\_file\_SD@rgrdlaw.com
- **Adam Fotiades**  
afotiades@zuckerman.com
- **Molly Bruder Fox**  
mbfox@steptoe.com
- **Christopher Louis Garcia**  
christopher.garcia@weil.com,mco.ecf@weil.com,evert.christensen@weil.com,christopher-garcia-1339@ecf.pacerpro.com,nymao@ecf.pacerpro.com
- **James Philip Gillespie**  
jgillespie@kirkland.com,kevin.mccarthy@kirkland.com,kenymanagingclerk@kirkland.com
- **Daniel Zachary Goldman**  
dgoldman@pkblp.com
- **Andrew Edward Goldsmith**  
agoldsmith@kellogghansen.com,ecfnotices@kellogghansen.com,ggoldfeder@kellogghansen.com,ecf-2ff5a29c9f5d@ecf.pacerpro.com
- **Jonah H. Goldstein**  
jonahg@rgrdlaw.com
- **Douglas W. Greene**  
dgreene@bakerlaw.com,agougisha@bakerlaw.com,bhlitdocket@bakerlaw.com
- **Theresa Hsin-Yi Gue**  
tgue@pkblp.com
- **John Gueli**  
jgueli@shearman.com,managing-attorney-5081@ecf.pacerpro.com,CourtAlert@Shearman.com,manattyoffice@shearman.com,john-gueli-5051@ecf.pacerpro.com
- **Adam Selim Hakki**  
ahakki@shearman.com,managing-attorney-5081@ecf.pacerpro.com,Courtalert@shearman.com,manattyoffice@shearman.com,adam-hakki-1816@ecf.pacerpro.com
- **John Louis Hardiman**  
hardimanj@sullcrom.com,john-hardiman-9552@ecf.pacerpro.com,s&cmanagingclerk@sullcrom.com
- **David Charles Harrison**  
dharrison@lowey.com
- **Barbara J. Hart**  
bhart@lowey.com
- **Steven P. Harte**  
steven@blockesq.com,pacer-blockleviton-9062@ecf.pacerpro.com
- **James Ormerod Heyworth , V**  
jheyworth@sidley.com,nyefiling@sidley.com,james-heyworth-0340@ecf.pacerpro.com
- **William Scott Holleman**  
holleman@bespc.com,ecf@bespc.com
- **Geoffrey Coyle Jarvis**  
gjarvis@ktmc.com,9343632420@filings.docketbird.com,mswift@ktmc.com
- **Frank James Johnson**  
frankj@johnsonandweaver.com,paralegal@johnsonandweaver.com
- **Rebecca M Katz**  
rkatz@katzlawnewyork.com,disaacson@motleyrice.com,dabel@motleyrice.com,lkorenblit@motleyrice.com,kweil@motleyrice.com
- **Christopher J. Keller**  
ckeller@labaton.com,5497918420@filings.docketbird.com,lpina@labaton.com,ElectronicCaseFiling@labaton.com
- **Michael Anthony Keough**  
mkeough@steptoe.com,ehartman@steptoe.com,ocorn@steptoe.com
- **Phillip C. Kim**  
pkim@rosenlegal.com

- **Robert Klipper**  
rklipper@kellogghansen.com,jmarine@kellogghansen.com
- **Lawrence Paul Kolker**  
kolker@whafh.com
- **Alexia Dorothea Korberg**  
akorberg@paulweiss.com,mao\_fednational@paulweiss.com
- **Daniel Jonathan Kramer**  
dkramer@paulweiss.com,mao\_fednational@paulweiss.com
- **Larry Howard Krantz**  
lkrantz@krantzberman.com
- **Eric Albin Larson**  
elarson@mmlaw.com,eeckard@mmlaw.com
- **Angel P. Lau**  
alau@rgrdlaw.com,8467512420@filings.docketbird.com,tdevries@rgrdlaw.com
- **Grace Jheeyoung Lee**  
grace.lee@shearman.com,managing-attorney-5081@ecf.pacerpro.com,CourtAlert@Shearman.com,grace-lee-3889@ecf.pacerpro.com,manattyoffice@shearman.com,mariusz.jedrzejewski@shearman.com
- **Justin David Lerer**  
jlerer@paulweiss.com,mao\_fednational@paulweiss.com
- **Michelle Lynn Levin**  
mlevin@steptoe.com,spu@steptoe.com,chartman@steptoe.com,ocorn@steptoe.com
- **Daniel Craig Lewis**  
daniel.lewis@shearman.com,managing-attorney-5081@ecf.pacerpro.com,daniel-lewis-6070@ecf.pacerpro.com,CourtAlert@Shearman.com,manattyoffice@shearman.com
- **Jeremy Alan Lieberman**  
jalieberman@pomlaw.com,ahood@pomlaw.com,disaacson@pomlaw.com,abarbosa@pomlaw.com
- **Neil Robert Lieberman**  
nlieberman@hsgllp.com,crodriguez@hsgllp.com,Managingclerk@hsgllp.com
- **Howard Theodore Longman**  
tsvi@aol.com,hlongman@ssbny.com
- **Morgan Paige Lucas**  
mlucas@steptoe.com,chartman@steptoe.com,ocorn@steptoe.com
- **John Phillip MacNaughton**  
jpm@mmlaw.com,wew@mmlaw.com,elarson@mmlaw.com
- **Michael David Margulies**  
mmargulies@carltonfields.com
- **Jerry Lee Marks**  
jmarks@milbank.com
- **Rita Kathleen Maxwell**  
rita.maxwell@bracewelllaw.com,mco@bracewelllaw.com
- **Francis Paul McConville**  
fmccconville@labaton.com,HChang@labaton.com,lpina@labaton.com,drogers@labaton.com,9849246420@filings.docketbird.com,electroniccasefiling@labaton.com
- **Glen Garrett McGorty**  
gmcgorty@crowell.com
- **Donald Alan Migliori**  
dmigliori@motleyrice.com,kdotson@motleyrice.com
- **Michael Campion Miller**  
mmiller@steptoe.com,spu@steptoe.com,ocorn@Steptoe.com,ehartman@steptoe.com
- **Mark Tamerlane Millkey**  
mmillkey@rgrdlaw.com,e\_file\_ny@rgrdlaw.com,1781895420@filings.docketbird.com
- **Erin Jennifer Morgan**  
ejmorgan@paulweiss.com,mao\_fednational@paulweiss.com
- **Christopher F. Moriarty**  
cmoriarty@motleyrice.com,sturman@sturman.ch
- **Daniel P. Moylan**  
dmoylan@zuckerman.com,jlinton@zuckerman.com,cvandergriff@zuckerman.com

- **Beth Mueller**  
beth.mueller@kirkland.com,lroberts@kirkland.com,kenymanagingclerk@kirkland.com
- **Mark Francis Murphy**  
mmurphy@steptoe.com
- **Sean Michael Nadel**  
snadel@kellogghansen.com
- **William H. Narwold**  
bnarwold@motleyrice.com,glevin@motleyrice.com,lmclaughlin@motleyrice.com,vlepine@motleyrice.com,ajanelle@motleyrice.com
- **Shawn Patrick Naunton**  
snaunton@zuckerman.com,lgehlbach@zuckerman.com
- **Gregory Mark Nespole**  
gnespole@zlk.com,jtash@zlk.com
- **Ivy T. Ngo**  
ingo@rgrdlaw.com,e\_file\_sd@rgrdlaw.com
- **Jonathan Ohring**  
johring@milbank.com,DMarcou@milbank.com,mprostko@milbank.com,TQuinn@milbank.com,JKammerman@milbank.com,milbank@ecf.courtdrive.com,jon-ohring-4945@ecf.pacerpro.com,dhooks1@milbank.com,klandis@milbank.com,AutoDocketECF@milbank.com,ggreen@milbank.com,MGrier@milbank.com,molsson@milb
- **Bradley E Oppenheimer**  
boppenheimer@kellogghansen.com,ecf-780f0d54d6a1@ecf.pacerpro.com,ggoldfeder@kellogghansen.com
- **Guy Petrillo**  
gpetrillo@pkblp.com
- **Ashley M. Price**  
APrice@rgrdlaw.com,e\_file\_sd@rgrdlaw.com,9561670420@filings.docketbird.com,lmix@rgrdlaw.com
- **Kingdar Prussien**  
kprussien@milbank.com
- **Arlen Pyenson**  
apyenson@crowell.com
- **Fei-Lu Qian**  
fqian@saxenawhite.com,e-file@saxenawhite.com,cwallace@saxenawhite.com
- **Leah Margaret Quadrino**  
lquadrino@steptoe.com,pparker@steptoe.com
- **Daniel Brett Rehns**  
drehns@hrsclaw.com,cfilings@hrsclaw.com
- **Kenneth Mark Rehns**  
krehns@saxenawhite.com,krehns@cohenmilstein.com,e-file@saxenawhite.com,cwallace@saxenawhite.com
- **Julie Goldsmith Reiser**  
jreiser@cohenmilstein.com
- **Lorin L. Reisner**  
LReisner@paulweiss.com,mao\_fednational@paulweiss.com
- **Joseph F. Rice**  
jrice@motleyrice.com
- **Ann Kimmel Ritter**  
aritter@motleyrice.com,glevin@motleyrice.com,kweil@motleyrice.com
- **Darren J. Robbins**  
e\_file\_sd@rgrdlaw.com,jcaringal@rgrdlaw.com
- **Lara Elizabeth Romansic**  
lromansic@steptoe.com
- **Laurence Matthew Rosen**  
lrosen@rosenlegal.com
- **David Avi Rosenfeld**  
drosenfeld@rgrdlaw.com,e\_file\_ny@rgrdlaw.com,2879289420@filings.docketbird.com,e\_file\_sd@rgrdlaw.com
- **Robert M. Rothman**  
rrothman@rgrdlaw.com,e\_file\_ny@rgrdlaw.com,9858910420@filings.docketbird.com,e\_file\_sd@rgrdlaw.com
- **Samuel Howard Rudman**  
srudman@rgrdlaw.com,e\_file\_ny@rgrdlaw.com,mblasny@rgrdlaw.com,e\_file\_sd@rgrdlaw.com

- **Peter George Safirstein**  
psafirstein@safirsteinmetcalf.com,sfeerick@safirsteinmetcalf.com
- **Michael Gerard Scavelli**  
mscavelli@steptoe.com,spu@steptoe.com,ehartman@steptoe.com,ocorn@steptoe.com
- **Jed Mastren Schwartz**  
jschwartz@milbank.com,jed-schwartz-8050@ecf.pacerpro.com,milbank@ecf.courtdrive.com,ggreen@milbank.com,AutoDocketECF@milbank.com
- **Kevin S. Sciarani**  
ksciarani@rgrdlaw.com,3827167420@filings.docketbird.com,tdevries@rgrdlaw.com,e\_file\_sd@rgrdlaw.com
- **Joseph R. Seidman**  
seidman@bernlieb.com
- **Jonathan Lucas Shapiro**  
jshapiro@kasowitz.com,courtnotices@kasowitz.com,autodocket@kasowitz.com
- **Jessica T. Shinnefield**  
jshinnefield@rgrdlaw.com,4243953420@filings.docketbird.com,landracchio@rgrdlaw.com
- **Thomas Michael Skelton**  
tskelton@lowey.com
- **Richard William Slack**  
richard.slack@weil.com,mco.ecf@weil.com,richard-slack-7880@ecf.pacerpro.com,adam.bookman@weil.com,Patrick.Branson@weil.com,nymao@ecf.pacerpro.com,evert.christensen@weil.com,Raquel.Kellert@weil.com
- **Patrick Kevin Slyne**  
pkslyne@ssbny.com
- **Patrick C Smith**  
psmith@dehay.com
- **Audra Jan Soloway**  
asoloway@paulweiss.com,mao\_fednational@paulweiss.com
- **Luigi Spadafora**  
spadafora.l@wssl.com
- **Kendra L Stead**  
kstead@sidley.com,efilingnotice@sidley.com,tcollier@sidley.com,jdent@sidley.com,kendra-stead-0480@ecf.pacerpro.com
- **Michael Howard Steinberg**  
steinbergm@sullcrom.com,michael-h-steinberg-5026@ecf.pacerpro.com,s&cmanagingclerk@sullcrom.com
- **Christopher D. Stewart**  
cstewart@rgrdlaw.com,karenc@rgrdlaw.com,e\_file\_sd@rgrdlaw.com
- **Elizabeth Johnson Stewart**  
elizabeth.stewart@shearman.com,managing-attorney-5081@ecf.pacerpro.com,CourtAlert@Shearman.com,elizabeth-stewart-0821@ecf.pacerpro.com,manattyoffice@shearman.com
- **Ellen Anne Gusikoff Stewart**  
elleng@rgrdlaw.com
- **Daniel Ben Tehrani**  
Daniel.Tehrani@usdoj.gov,CaseView.EDF@usdoj.gov
- **Steven Jeffrey Toll**  
stoll@cohenmilstein.com,efilings@cohenmilstein.com
- **Matthew Tracy**  
tracy.m@wssl.com
- **Nicholas Tygesson**  
ntygesso@sidley.com
- **Anil Karim Vassanji**  
avassanji@fklaw.com
- **Melanie Elizabeth Walker**  
mewalker@sidley.com,melanie-walker-7174@ecf.pacerpro.com,efilingnotice@sidley.com
- **Reid Weingarten**  
rweingarten@steptoe.com
- **Joseph Harry Weiss**  
jweiss@weisslawllp.com,infony@weisslawllp.com,joshua-rubin-1257@ecf.pacerpro.com,exec@weisslawllp.com
- **Theodore Von Wells , Jr**  
twells@paulweiss.com,mao\_fednational@paulweiss.com

- **Collin White**  
cwhite@kellogghansen.com
- **Regis C. Worley , Jr**  
rworley@rgrdlaw.com
- **Debra J. Wyman**  
debraw@rgrdlaw.com,e\_file\_sd@rgrdlaw.com,9404133420@filings.docketbird.com,scaesar@rgrdlaw.com
- **Genevieve Graeme York-Erwin**  
gyorkerwin@bakerlaw.com

#### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

**Ar Capital LLC**

,

**Dwight Phillip Bostwick**  
Zuckerman Spaeder, LLP  
1800 M Street, N.W., Ste. 1000  
Washington, DC 20036-5802

**Scott Alexander Edelman**  
Milbank LLP  
55 Hudson Yards  
New York City, NY 10001-2163

**Kevin Patton**

,

**William Taylor**  
Zuckerman Spaeder LLP  
1800 M Street, N.W.  
Washington, DC 20036

**David C. Walton**  
Robbins Geller Rudman & Dowd LLP (SANDIEGO)  
655 West Broadway  
Suite 1900  
San Diego, CA 92101

**Abby M. Wenzel**

,